

IDEA Amendments of 1997 Related to the IEP Process

- The **use of IFSPs is allowed for children aged 3 through 5** if the public agency and parents agree (requiring informed parental consent).
- All students with disabilities **will have access to the general curriculum** regardless of educational placement. Assumes that the **IEP process is the vehicle** to facilitate and direct curriculum access.
- The IEP contents have been modified to contain **a statement how the child's disability affects the child's involvement and progress in the general curriculum**. In addition, there must be a statement how each student with a disability will continue to be involved in and progress in the general curriculum.
- Services based on the **IEP should be provided within a reasonable period of time** from the receipt of parental consent to an initial evaluation (e.g., 60 days).
- Revises the current IEP team membership to include the parents of a child with a disability, **at least one regular education teacher, and the child, if appropriate**. School districts are encouraged to seek input from teachers who will not be attending and ensure that teachers who do not attend the IEP meetings are informed about the results of the meeting and are provided a copy of the IEP.
- In the case of a child whose behavior impedes the learning of the child or others, **a person knowledgeable about positive behavior strategies** is encouraged to be on the IEP team.
- **Parent notification provisions should include reference to the development of transition service needs or consideration of transition services, if appropriate**. When transition is being considered, the public agency must invite the student to attend.
- In developing each child's IEP, the IEP team must consider **the strengths of the child and the concerns of the parents** for enhancing the education of their child.
- The IEP team must also **consider a number of special factors** that may apply to individual children, and the IEP team must consider these factors in review and revision of IEPs as well as in their initial development (e.g., instruction in Braille, communication needs, need for assistive technology devices and services, language needs for students with limited English proficiency, etc.).
- The **regular education teacher**, to the extent appropriate, must participate in the development, review, and revision of the IEP of the child, including assisting in the determination of appropriate positive behavioral interventions and strategies and the determination of supplementary aids and services, program modifications, and support for school personnel.

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- The IEP must contain a **statement** regarding the extent to which the student with a disability will not be in the general education classroom. The IEP must also contain the **supports to be provided to the general education teacher to provide accommodations and services** for students with disabilities within the classroom.
- The IEP contents have been modified to include a statement of any **individual modifications in the administration of State or districtwide assessments of student achievement** that are needed in order for the child to participate in such assessment. If the IEP Team determines that the child will to participate in a particular State or districtwide assessment of student achievement, a statement must be included why the assessment is not appropriate for the child and how the child will be assessed.
- **Transition planning within the IEP must begin at age 14** rather than age 16.
- Beginning at least one year before the child reaches the **age of majority** under State law, a **statement that the child has been informed of his or her rights**, will be transferred to the child.
- The **child's parents must be regularly informed** (by such means as periodic report cards) at least as often as parents are informed of their nondisabled children's progress of their **child's progress** toward goals and objectives within the IEP.
- Children placed in **alternative educational settings** as a result of student discipline measures must be allowed to **continue to participate** in the general curriculum and to continue to receive these services and modifications, including those described in the child's current IEP. IEP teams are also conduct behavior manifestations.
- **School based** improvement plans must ensure that all children with disabilities receive the services described in the individualized education programs of such children.
- Distinguishes between **children placed in private schools** by public agencies (requiring services provided in accordance with an IEP) and those placed in private schools by their parents.
- Provides for provisions related to services to **youth with disabilities in adult prisons** that took effect on June 4, 1997 (e.g., these youth need not participate in general assessments or in transition planning and transition services if their eligibility under this act will end because of their age, before they will be released from prison).